

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

In the Matter of a Petition by Borgata
for a Ruling by the Director of the
Division Regarding a Compliance and
Reporting Plan

ORDER
PRN 0891201

WHEREAS, Marina District Development Company, LLC ("MDDC"), t/a Borgata Casino Hotel & Spa ("Borgata"), is a casino licensee under the Casino Control Act ("Act") and Boyd Gaming Corporation ("Boyd") is a regulated holding company of Borgata under the Act; and,

WHEREAS, Borgata filed the above-referenced letter petition dated March 2, 2012, amended by letter dated March 30, 2012, seeking the approval of the Director of the Division of Gaming Enforcement ("Division") of its Compliance and Reporting Plan pursuant to *N.J.A.C. 13:69C-8.8*; and,

WHEREAS, *N.J.A.C. 13:69C-8.8* became effective on December 19, 2011, but compliance therewith was extended to March 31, 2012, by Division Director Order No. 00302 dated December 19, 2011; and,

WHEREAS, the within petition has attached thereto MDDC's First Amended Compliance and Reporting Plan and Boyd's Second Amended Gaming Compliance and Reporting Plan; and,

WHEREAS, Borgata's Compliance and Reporting Plan has been reviewed by the Division for compliance with *N.J.A.C. 13:69C-8.8*; and,

WHEREAS, *N.J.A.C. 13:69C-8.8(e)* requires a Compliance Officer who shall be qualified under the Act and *N.J.A.C. 13:69C-8.8(f)* requires a Compliance Committee consisting of at least three members, each required to be qualified under the Act, and at least one member thereof not an employee, officer, or executive of, or holder of an operational position at, the casino licensee or its holding companies or affiliates; and,

WHEREAS, it is represented that Joseph Corbo, Borgata's Vice President and General Counsel, is Borgata's Compliance Officer and is qualified under the Act; and,


WHEREAS, with the resignation of Mr. Corbo from Borgata's Compliance Committee as reflected in the above-noted letter amendment dated March 30, 2012, it is represented that Borgata's Compliance Committee is composed of the following individuals who are qualified under the Act and hold employee, officer, or executive positions with Borgata and/or Boyd: Auggie Cipollini, Hugh Turner, Signe Huff, Brian Larson, Jeffrey Rodefer, and James Zazzali as Trustee for MGM Mirage; and, it is further represented that Borgata's Compliance Committee currently includes the following Borgata employees who are key licensed under the Act as casino employees: Greg Schaaf, Michael Schultz, and Bob Haines; and,

WHEREAS, it appears that Borgata's Compliance Committee does not presently have at least one member who is not an employee, officer, or executive of, or holder of an operational position at, Borgata and/or Boyd and Borgata has acknowledged this fact and is taking efforts to promptly identify an independent member and have him or her qualify under the Act.

NOW THEREFORE, IT IS ORDERED that Borgata's Compliance and Reporting Plan is hereby approved as complying with *N.J.A.C. 13:69C-8.8* subject to the following conditions:

1. The formal adoption by April 30, 2012, of provisions to integrate Boyd's Compliance Committee procedures with Borgata's Compliance and Reporting Plan as reflected in the above-noted letter amendment dated March 30, 2012;
2. The resignation of Joseph Corbo from Borgata's Compliance Committee and his continuance as Borgata's Compliance Officer as reflected in the letter amendment dated March 30, 2012, by April 30, 2012; and,
3. The identification and qualification of an independent member of Borgata's Compliance Committee by April 30, 2012.

Dated: April 2, 2012


DAVID REBUCK
DIRECTOR

Casino Licensing